

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GHAZI AHMED

Plaintiff,

Case No. 08-13358

v.

Honorable John Corbett O'Meara

L&W ENGINEERING COMPANY

Defendant.

ORDER OF PARTIAL DISMISSAL

Plaintiff filed a two-count complaint in this court on August 04, 2008, alleging the following: violation of Title VII in Count I; and violation of the Elliot Larsen Civil Rights Act , M.C.L. § 37.2201 *et seq.* in Count II.

While the claim alleging violations of federal law is cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegation in the complaint presents a claim based on state law. The parties to this matter are not diverse. Therefore, this court declines to exercise pendent jurisdiction over the state claim. See United Mine Workers v. Gibbs, 383 U.S. 715 (1966); 28 U.S.C. § 1367(c).

Accordingly, it is hereby **ORDERED** that Count II is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: August 12, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, August 12, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager